

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Joel Drown

v.

Civil No. 07-202-JD

United States of America

O R D E R

This is a petition brought pursuant to 28 U.S.C. § 2255.

On May 31, 2006, the petitioner entered a plea of guilty, pursuant to a plea agreement, to a one-count indictment charging him with attempted bank robbery in violation of 18 United States Code, Section 2113(a). Pursuant to Fed. R. Crim. P. 11(c)(1)(C) the parties agreed that the base offense level for this offense would be 20 and that there would be a two point increase for taking the property of a financial institution. The court accepted these binding stipulations and imposed a sentence of 37 months in prison followed by a two-year term of supervised release.

The petition and accompanying memorandum are rambling and at times border on being incoherent. The petitioner appears to contest the validity of the indictment, the statute under which he was convicted, and the statutes under which he has been sentenced. The petitioner also suggests that his counsel was

ineffective. However, all of these allegations are too vague and unsubstantiated to be considered viable.

The court finds that the sentence imposed in this case did not violate the Constitution or laws of the United States, that the court had jurisdiction to impose the sentence, that the sentence was not in excess of the maximum authorized by law, and that the sentence is not otherwise subject to collateral attack. Therefore, the petition is dismissed.

SO ORDERED.


Joseph A. DiClerico, Jr.
United States District Judge

July 13, 2007

cc: Joel Drown, pro se